

ORDINANCE NO. C-04-36

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE CHARTER OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO REQUIRE THE APPROVAL BY A UNANIMOUS VOTE OF THE ENTIRE CITY COMMISSION TO SELL, TRANSFER, OR LEASE FOR MORE THAN ONE YEAR, CITY PARK PROPERTY; PROVIDING FOR APPROVAL BY THE ELECTORS; AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

WHEREAS, the Charter Revision Board has recommended to the City Commission that certain amendments be made to the Charter of the City of Fort Lauderdale, Florida; and

WHEREAS, the City Commission has approved certain changes to the City's Charter as recommended by the Charter Revision Board to be submitted for voter approval;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That Section 8.21 of the Charter of the City of Fort Lauderdale, Florida, be, and is hereby amended as follows:

Section 8.21. Disposing of public property.

The right of the City to sell, exchange, lease, franchise or deed public property, under the methods and procedures provided in this Article, shall not be limited, restricted or abridged on account of the method, source or means by which such property was acquired, the source from which funds were obtained to acquire such property, the use to which this property has been devoted or is presently devoted,

or whether such property is used and operated in a governmental or proprietary capacity.

Notwithstanding anything to the contrary in this Charter, the City shall not sell, transfer, or lease for more than one year, any land zoned Park in accordance with the City's Unified Land Development Regulations without a unanimous vote of the entire City Commission. Additionally, any land zoned Park on November 10, 2004, shall require a unanimous vote of the entire City Commission to remove such designation.

SECTION 2. That this ordinance shall not take effect unless the same is approved by a majority of the electors of the City of Fort Lauderdale voting at the election to be held on November 2, 2004. The ballot measure to be submitted shall be in substantially the following form:

Charter Amendment
Requiring a Unanimous Vote
of the Entire City Commission to Convey Park Property

Should the Charter of the City of Fort Lauderdale, Florida, be amended to require that any conveyance of City-owned land zoned Park in accordance with the City's Unified Land Development Regulations or the removal of such zoning designation be approved by a unanimous vote of the entire City Commission?

YES, for approval ____ NO, for rejection ____

SECTION 3. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 4. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 5. That this Ordinance shall be in full force and effect ten days from the date of certification by the Supervisor of Elections for Broward County, Florida, of approval by the electors.

PASSED FIRST READING this the 20th day of July, 2004.

PASSED SECOND READING this the 13th day of September, 2004.

Mayor
JIM NAUGLE

ATTEST:

City Clerk
JONDA K. JOSEPH

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.